

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

**JORGE ANTONIO FUENTES DELGADO,
ISABEL MILAGROS DAVILA PEREIRA**

Debtors

CASE NO. 16-04797 (MCF)

CHAPTER 13

STIPULATION DENYING DISCHARGE

Nancy J. Gargula, the United States Trustee for Region 21 (the "United States Trustee"), by and through her undersigned attorney, and Jorge Antonio Fuentes Delgado and Isabel Milagros Dávila Pereira (the "Debtors"), individually and by and through their undersigned attorney, assert and aver that they have reached a stipulation pursuant to § 1328(a) of the Bankruptcy Code putting to an end a review by the United States Trustee in this bankruptcy proceeding as to the Debtors' entitlement to a discharge under § 1328.

Wherefore, the United States Trustee, by and through her attorney, and the Debtors, individually and by and through their attorney (hereinafter the "Parties"), have set their hands to this stipulation containing their acknowledgments and the terms of said accord, and they request the Court accept, approve, and enter this stipulation as a permanent order denying the Debtor a Chapter 13 discharge of all debts they incurred up to, and including, the date the instant bankruptcy petition was filed, to wit: June 15, 2016.

ACKNOWLEDGMENTS

1. The Debtors acknowledge that they caused a bankruptcy petition under Chapter 13 to be filed on their behalf in the United States Bankruptcy Court for the District of Puerto Rico on June 15, 2016; that said petition was docketed as bankruptcy case number 16-04797 (BKT).

2. The Debtors acknowledge, without making any admissions, that the United States Trustee has been reviewing their entitlement to a discharge under § 1328 of the

Bankruptcy Code and could have requested the conversion of their case to one under Chapter 7 pursuant to § 1307, objected or requested the revocation of the order of confirmation of their Chapter 13 plan pursuant to § 1325 and § 1330, or objected to their Chapter 13 discharge.

3. The Debtors acknowledge that they have consulted with their attorney regarding the efforts of the United States Trustee to seek an order and/or judgment converting their case to Chapter 7, denying or revoking the order of confirmation of their Chapter 13 plan, or denying the Chapter 13 discharge of their debts.

4. The Debtors acknowledge their desire to resolve the matter without the need for further inquiry or litigation, and without making any admissions, and that they have chosen to forever waive their entitlement to a discharge for any and all debts they incurred as of, and prior to, June 15, 2016.

5. The Debtors acknowledge that their attorney has thoroughly explained the consequences that they will suffer if the Court denies them a Chapter 13 discharge, specifically, that they will remain liable for any and all of their debts as of the date their bankruptcy petition was filed.

TERMS

6. The Parties agree and request this Court enter a permanent order against the Debtors forever barring and denying them a Chapter 13 discharge, pursuant to 11 U.S.C. § 1328(a), for those debts incurred up to, and including, June 15, 2016, including, but not limited to, those debts listed in the petition, schedules, amended petition, and/or amended schedules

7. The Debtors further waive all right to appeal the entry of said order and the denial of their bankruptcy discharge.

8. The Parties further agree that should the Court reject this stipulation for any reason, the United States Trustee shall be free to request the conversion of the case to

one under Chapter 7, object or request the revocation of the order of confirmation of their Chapter 13 plan, or object their Chapter 13 discharge, and the Parties shall be free to litigate the merits of the matter as they see fit.

9. The Parties acknowledge and agree that this stipulation contains the entire agreement between the Parties. The Parties further acknowledge and agree that the United States Trustee has not made, and/or given any other representations, promises, inducements, or rewards, and/or given or promised to give any other consideration of any kind whatsoever to the Debtors or anyone else on their behalf.

WHEREFORE, the Parties request that this Stipulation be accepted, approved, and entered as a permanent order in this case and the bankruptcy discharge of the Debtors be forever denied with regard to those debts incurred by them prior to, and including, June 15, 2016.

Signed today May __, 2021, in San Juan, Puerto Rico.

The Debtors,



Jorge Antonio Fuentes Delgado



Isabel Milagros Dávila Pereira

For the Debtors,



Edgardo Mangual González, Esq.
Edificio La Electrónica, Suite 212
Calle Bori 1608
San Juan, P.R. 00927
Tel: (787) 753-0055
E-mail: lcdomangual@gmail.com

For Nancy J. Gargula,

s/

Monsita Lecaroz Arribas #207707
United States Department of Justice
Office of the United States Trustee
500 Tanca St., Suite 301
San Juan, PR 00901-1922